THE TIMES, FOUNDED 1886

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RICHMOND, VA., WEDNESDAY, DECEMBER 28, 1908.

PRICE TWO CENTS.

SUMMARY OF THE DAY'S NEWS

The Weather.

WASHINGTON, Dec. 22.—Forecast for Wednesday and Thursday: Virginia—Fair Wednesday and Thurs-

day; light to fresh variable winds. North Carolina-Fair Wednesday and Thursday; light to fresh north to north-

Rather mild weather, becoming slightly colder after nightfull, marked yeaterday. The mercury reached 51 during the warmest portion of the day, and was some degrees above freezing point at mid-

STATE OF THE THERMOMETER.

MINIATURE ALMANAC

Richmond.

Richmond.

The discovery made that marriages performed since December 12th are not valid—Senator Mcliwaine repiles to the criticisms of Delegate Duke—Legislature decides to take a recess to-dray until December 28th—House extends the lime limit of the Jamestown Exposition Company's charter to July 1st, but the Senate falls to muster a quorum to concursion adequate—Shopiliters busy in the big stores—No agreement yet on the British and concert at perintendent Davis provides good cheer for the Inmates of the almshouse—for the Inmates of the State Board of Fisheries, replies to statements made in House receive Christmag gifts—Chairman Rowdon, of the State Board of Fisheries, replies to statements made in the Senate—Ch. Fisher given twelve months in Jail—Report of Munispel Investigating Committee to be presented soon after the holiday season—Tobaccoming in very slowly—Henrice county roused over the dog law; scarlet fever raging in certain sections of the county—Members of the Benate guession—Names of new members auggested—A paper factory to be greeted—Manchester Council, Royal Arcanam sectoms of the county for the schools to be discontinued—Red Men adopt new by-laws—Christmas goods.

Virginia.

Virginia.

The dispensary won over the saloons at Farmville after a hot fight; salood with personal encounters—Train wreeker at Boydton confesses and is given live persons encounters— Tanh wheels oydton confesses and is given live — Dr. Albert Nicholson loses his ence in Princess Anne a few days bringing home a bride—Very valibrary given to the University of nia—Charles Nelson cleared of us charge at Suffolk—Burglars (Into a store in Amelia and take — Dr. Jesse Ewell Jumps and estain—Cracksmen wreck postoffice at Clarksville and get very little—mont has discharged its town sertisince going dry—Penisular industrishing evergreons has glutted the term market—Weems Steamboat any to build new boat for Rappacok, and Fredericksburg wants it danter that city—Two noted smen traced a thousand miles by a which one of them dropped at Now-News—The police of Norfolk producting reward for deserters—Unnumber of ships loading coal at certsburg does large damage.

North Carolina.

The Carnegie offer for a library to -New York capitalists to finance tion mill at Marshall—Mr. Van-buys sixteen acres of ground to will be brought back from Atlanta to be tried.

General.

General.

Stock market so near idle that many of the brokers leave town for the holidaya—Cotton has another wild day and prices go above thirteen cents to a now high record—Charles M. Schwab files his answer to cross bill in suit for receiver for shipbuilding company, and makes general denia) of any fraudulant act in connection with the promotion or financing of the company—Letters and cable grams, alleged to have been used in promoting the company in France, are published, and an inquiry will be started as how the information was given out—Burope, it is said, will look with approval on refusal on part of United States to refer isthmian question to The Hague arbitration tribunal; it is supposed that General recyes in this supposed that to be determined to continue sending troops to the isthmus if the United States refuses to come to an agreement diplomatically—Russo-Japanese situation is said to be graver than ever as a result of Japan's having rejected fundamental reatures of Russia's reply.

MORE VESSELS READY TO SAIL FOR SOUTH

(By Associated Press.)

SAN FRANCISCO, CAL., Dec. 22.—The United States cruiser New York arrived today from Bremerton, Washington, it was understood that she whi at once proceed to Panama. The commandant of the Mare Island havy-yard, has been ordered so draft 250 men from the receiving ship independence and send them here to join the New York to-morrow. Supplies for the cruiser will also be in readiness. The torpedo boat destroyers twelve and Paul Jones, have received supplies of ammunition at Mare Island and are expected here to-morrow, in readiness to steam south with the New York.

GAIN IN NUMBER OF HARVARD STUDENTS

(Special to The Times-Dispatch.)
CAMBRIDGE, MASS., Dec. 22—In the Harvard catalogue, out to-day, the total registration of students is given as 4.378, which, excluding summer school, now closed, is a not gain of 147 over last vege.

year. Virginia sends twelve and West Virginia nine. Massachusotts leads naturally, with 2,250.

THE PANAMA REVOLUTION



THE BATTERY, PANAMA, DELIVERED TO SECESSIONISTS BY HUERTAS

Revolutionists Were Confident of Support From Government of the United States.

PROMISE OF OUR WARSHIPS

Message From Bunan-Varilla Was the Occasion of Removing All Doubt of Failure.

(From a Staff Correspondent of The Times-Dispatch.)

PANAMA, R. P., December 12.-Prescan Congress that his administration was not privy to the scheme to establish ar independent republic on the 1sthmus There is absolutely no evidence discov erable here to controvert that statement independence at Panama believed implic ment at Washington. This belief is so credit could be given to M. Bunau-Va ican support that the revolution was ac

tually effected. A cable from Bogota was received at Panama early on the 31st of October, announcing the adjournment, sine ale, of the special session of the Colombian Congress and the definite failure of the Hay-Herran treaty. This news was no sooner received than the conspirators, whose names have already been given in this correspondence, gathered in the parior of the residence of Dr. Amador. The crux the residence of Dr. Amador, The crux

heat support there would be no further hesitation. As he finished this cablegram Dr. Amador remarked to his fellow conspirators:

Dr. Amador remarked to his fellow conspirators;

"If this man (referring to Varilla) can move an American warship so as to place it at the istimus to help us, we need hesitate no longer."

From that moment the whole plan waited on the reply from Varilla. It was received on the first of November, although dated the previous day. As to its contents there are two versions, and since Dr. Amador, who hus possession of the original, is in the States, the dispute as to its contents cannot be settled. Enough is known, however, to justify the assertion that it was this cablegram from

(Continued on Sixth Page.)

DISPENSARY WINS OVER THE SALOONS

A Warm Election in Farmville, With Personal En-

counters.

(Special to The Times-Disputch.) FARMVILLE, VA., December 22,-The dispensary won in to-day's election over the saloon by fifty-nine majority. Throughout the entire day an unusually

SUBMIT NEW BOND PLAN

Report of Messrs. Anderson and Pollock on the Sub-

STAND FOR M'CARTHY IDEA

Recommend Adoption of Ordinances Putting at Rest the Question.

Messrs, Gilbert K. Pollock and Charles and who have led such a powerful and

ordinance marked general plan, and is recommended regeneral plan, and is recommended four doubtion.

Your committee, however, feeling that it might possibly be the desire of the body not at this time to adjust and settle for all time the whole debt question, but simply to take cure of the debt falling due January 1, 1964, return herewith an ordinance marked "B" which provides only for a taking care of the maturities of January 1, 1964, without reference to tature maturities.

Respectfully submitted,
Signed: G. K. POLLARD,
C. J. ANDERSON,

HUNDREDS OF MILLIONS ALLEGED TO BE DUE

(By Associated Press.)

JACKSON, MISS., December 22.—The
State revenue agent has entered suits
against a large number of packing and
brewing companies which do business in
this State for back taxes on their re-

this State for back taxes on their refrigerator cars.

Among those sued are the Schlitz Brewing Company, Anhouser Busch Brewing Company, Standard Oil Company, American Cotton Oil Company, Armonr Packing Company, Cudahy Packing Company, Swift Packing Company and a score of other concerns. The agent asks that these concerns be made to pay the taxes on their cars used in this State for the last ten years. The total amount of the assessments on which taxes are alleged to be due is two hundred and nineteen million dollars.

ENDORSES ACTION IN CANAL MATTER

the saloon by fifty-nine majority. Throughout the entire day an unusually large number of citizens congregated in the courthouse yard, and heated discussions, followed by a few personal enterounters, furnished sufficient excitement. The election will go on record as one of the warmest and hardest fought in the history of the town. The saloon men are laking their defeat calmly, having very little to say.

Now that the dispensary has won by a handsome majority, it is believed that the Council will meet at an early day, appoint a dispensary board and make all necessary arrangements for the immediate establishment of a dispensary. Following is the official voic; Total number cast, 33; for dispensary, 187, against 128; thrown out, 9.

MR. SCHWAB FILES HIS

Denies One and Every Allegation of Fraud.

ACTED THROUGHOUT IN GOOD FAITH.

Made No False Representations, Nor Did He Promote Company.

BELIEVED IN FIGURES PRESENTED TO HIM

Only After His Return to United States From Visit to Europe Did He Learn Statements

in the Prospectus Were Inaccu-

(By Associated Press,) NEW YORK, Dec. 22.-Charles M. Schwab to-day filed his answer to the

cross bill of the United States Shipbuilding Company and James Smith, Jr., its Court for the Southern District of New and its receiver against the New York Security and Trust Company and Mr.

After admitting certain of the funda-mental facts, which have heretofore been established. Mr. Schwith takes up the various allegations and charges of the

established, Mr. Schwab takes up the various allegations and charges of the cross bill. He says:

"I dony that I ever was or became one of the promoters of the Shipbuilding Company, or that I had a number of persons associated with me acquired the expany, as averred in said cross bill."

Emphatia denial is made that he ever conceived any scheme of transferring to the Shipbuilding Company, it as excessive rate or upon conditions permitting him or his associates to control the Shipbuilding Company.

Continuing, Mr. Schwab says:

"I dey that, with any purpose of accomplishing such intent and purposes, or otherwise, I or any associates of mias represented to the Shipbuilding Company that the said shares of stock were worth the sum of thirty million dollars."

Mr. Schwab denies that he ever made any faise representations regarding the Bethlehem Steel Company.

Is Innocent.

Is Innocent.

Mr. Schwab says the Shipbuilding Com-nany is not entitled to enforce any al-eged indebtedness against him. He tivers that neither he nor his associates centrol of the Shipbuilding and Steel companies, with the power to cause de-dult the corporations as to cause de-fault in the payment of interest, thereby defrauding creditors, stockholders and bouldedders of the Shipbuilding Com-

(Continued on Second Page.)

WISHED JURORS MERRY CHRISTMAS

Man Convicted of Murder in the First Degree Has no Grudge Against the Jurors.

(By Associated Press,)



No Nearer a Settle-

ULTIMATUM IS SENT BROTHER

But Fundamental Points at Issue Are Rejected by the Japanese-Ready for War.

SITUATION

ficial circles here that the Japanese reply mutual guarantees for the preservation of Chinese and Corean sovereignty while se-curing their individual interests.

commencement of the negotiations, but is still susceptible to a pacific solution if called on Baron De Rosen, the Russian called on Baron De Rosen, the Russian minister, instead of Baron De Rosen calling on Komura, is explained by the fact that the Baron is suffering from an ear affection. But the explanation has obvious diplomatic significance and is interpreted that Japan is determined not to afford Russia possible ground for claiming Japanese impetuosity as an excuse.

Komura's communication is not believed officially to be necessarily tantamount to be utilimatum as rumored. War preparations continue a page. The transports

May Continue Negotiations.

(By Associated Press.)
December 22.—Confirmation was
from official sources to-day of obtained from official sources to-day of the reports that Foreign Secretary Lansdowne and Foreign Minister Delease have within the last few days made strong representations at Tokie with the view to averting a crisis between Russia and Japan. There is reason to believe that these representations, coming at the critical moment, when Japan's reply was being handed to the Russian minister. Baron De Rosen exercised a powerful restraining influence. This is especially true of Lord Lansdowne owing to Great Britain being the ally of Japan.

The terms of the Japanese answer are not yet known here but owing to the action taken by Great Britain and France the officials here are confident that her answer permits of a continuance of the diplomatic negotiations towards securing common grounds for an agreement.

Deny the Reports. (By Associated Press.)

(By Associated Press.)

NEW YORK. Dec. 22.—With a verdict that sends Frank II. Burness, a self-confessed murderer, to the electric chair, a jury, before Judge Crane this afternoon, ended one of the most sensational murder traits heard in Brooklyn for months.

Burness' fourth murder was committed on November 10th last, when he shot Captain George B. Townsend, of 'the Schooner Charles K, Buckley, because the latter would not pay him \$6,30, the prisoner alleged to be due him. This and other killings were calmly described by Burness to-day on the witness stand and the murderer insisted that he did the deed with premeditation at in a full realization of the consequences. The jury brought in a verdict of murder in the first degree. Burness smiled broadly when the jury was being polled.

Judge Crane said he would sentence Burness on Monday and he asked the judge of the printed to say some-

TO MURDER

of Encompassing Her

AS

All, However, Are Accused of Murder in the First Degree.

eport of the investigation of the assasbrother of the murdered woman; Mrs nati, and Myron Barbour, her husband

the camera from the lands of the first open per case of the four indictments were read to the accused. A conspiracy among members of the murdered woman's own family to kill her is charged. James Gillesple, her twin brother, is the one who is charged as the principal, although all are charged with murder in the first degree. Each entered a plea of not guilty.

Captain Coles, atterney for the defendants, presented petitions for writs of habeas corpus, on the ground that there is not enough evidence to indict and that their liberty was withheld on a charge of a crime of which they were innocent, and to Downey ordered the writs returnable immediately, and the petition was

able immediately, and the petition was then heard, with arguments.

ASKS DAMAGES FOR ALLEGED MISREPRESENTATIONS (By Associated Press.)

(By Associated Press.)

KNONVILLE, TENN., Dec. 22.—Men. who were brought from St. Louis to Coal Creek about afteen days ago to work in the Coal Creek Coal Company's mines, have brought suit for damages against the company and Manager George M. Camp. They allege that false representations were made to induce them to come to Coal Creek. Two of the cases have been tried, and the court returned the 'verdlet of \$250, costs and attorneys' forcs in each case. The men sued for \$199.

COTTON GOES UP TO **NEW HIGH RECORD**

Market Becomes Very Active and Excited on a Rush of Buying Orders.

(By Associated Press.) NEW YORK, Dec. 22.—The cotton man et became very active and excited this afternoon on a rush of buying orders led by New Orienns. As prices worked up-ward, there was active covering. The list was forced up to new records for the season with January selling at 13.17. March

WEDDED, BUT NOT WEDDED

Japanese-Russian Controversy Is Family of Miss Gillespie Accused Startling Discovery About Couples Married in Counties Since December 1st.

PRINCIPAL A NEW LAW IS RESPONSIBLE

Licenses Should Have Been Procured From Circuit Instead of County Clerks.

terday that, technically speaking, almos However, as the passage of this measure esting authority to issue licenses in county clerks, the acts of such clerks it issuing licenses are, strictly speaking null and void.

nown, Senator Campbell, of Bedford ffered a bill validating the acts of county municated to the House, but befound be acted on by that body a quas broken. Unless the requisite

(By Associated Press.)
PHILADELPHIA, PA., Dec. 23,—
thurles D. Fenstemacher, aged forty-eight years, who was yesterday convicted in the United States District Court of using

years, who was yesterday convicted in the United States District Court of using the mails to defraud, to-day committed suicide by hanging himself with a tower in a cell in the county prison.

When arrested, Penstemacher was employed as a bookkeeper for a firm of commission merchants. Postal Inspector Holden says, this eriminal record extends over a period of thirty years.

His plan was to mail letters to farmers in various sections of the country through which he secured large consignments of produce. This he sold, but failed to make adequate financial return to the farmers. During his trial, witnesses from North Carolina, Georgia, Ohio and New York testified that they had been vicinized by Fenstemacher. He was committed to the county prison pending the result of an appeal for a new trial.

AGREES TO FINANCE **NEW COTTON MILL**

Judge Crane said he would sentence Burness on Monday and he asked the judge if he would be permitted to say something. On being given the privilege, he said: "There may be an idea on the minds of some of the jurors that I hold a grudge against them for having found me guilty in the slightest and (laughingly), all I can say is I wish them all a merry Christians."

Burness, who is about forty-four years of age, according to his own statement, was born in Butler. Pa. When asked what he thought would be the result of his act, he coolly replied: "Only see one way out of it." "What is intal?" "Why the chair, of course," he said.

Som with January sening at 13.17, March at 13.50.

According to room gossly, the advance was largely due to reports that a tip was in circulation in New Orleans, regarding the forthcoming Census Bureau report, making it appear that about 2,000,000 bales of cotion had been ginned between November 14th and December 14th, with the winston addrinen have necepted the The Winston addrinen have necepted the The Winston addrinen have necepted the this city fifteen thousand dollars for the Stabilishment of a public library.

Burness, who is about forty-four years of age, according to his own statement, was born in Butler. Pa. When asked what he thought would be the result of his act, he coolly replied: "I only see one was out of it." "What is that?" "Why the chair, of course," he said.

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Burness, who is about forty-four years of age, according to his own statement, was born in Butler. Pa. When asked the intermediate of the amount remaining to be ginned about seven per cent, of the crop.

The market closed steady within a point or two of the best of the session with the market closed steady within a point or two of the whole the full that the proposition of the School for Chairman and the cooling replied "I amount as a first many quoted